



Denver Waste No More Task Force

Meeting #3: Equity, Supports/Incentives, and Decision-Making Process

May 4, 2023

Introductions - Task Force Members


Ballot Sponsors	Ean Thomas Tafoya, GreenLatinos Vann Fussell, Compost Colorado
Labor	Luis Ponce, SEIU
Multi-family building resident	Marguerite Harden, Resident & HOA Member
Special Events	Andrea Furness, Classic Events Co. Renee Ortiz, Eventful Productions
Commercial & Multi-Family Buildings	Jessy Aghababian, Unico Properties Peggy Panzer, Laramar Group/AAMD Stephen Shepard, Denver Metro BOMA
Food Waste Producers	Holly Adinoff, Sullivan Scrap Kitchen Allyson Gutierrez, Colorado Rockies Baseball Club Sonia Riggs, Colorado Restaurant Association Chris Woodburn, Denver Public Schools

Small business	Chris Chiari, Patterson Inn
Waste Haulers & Processors	Christopher Berry, GFL Environmental Erwin Galvan, Waste Management Recycle Clinton Sanders, A1 Organics Christi Turner, Scraps Ltd.
Construction Industry	JW Houser, Taylor Morrison/Home Builders Assoc Maggie Nichols, Iron Woman Construction Anna Perks, Perks Deconstruction
Environmental Advocate	Ryan J Call, Eco-Cycle
Multi-Sector	Joshua Jackson, NAACP Laurie Johnson, Circular Colorado
City Council Members	Jolon Clark, District 7 Chris Hinds, District 10



Where We Are & April Recap

Draft Work Plan

Meeting 1 - March	Intros + clarify purpose/scope
Meeting 2 - April	<ul style="list-style-type: none"> - Review relevant context; ID where we can/can't account for external realities - Discuss timelines + overall requirements - Set up workgroups
Meeting 3 - May	 <ul style="list-style-type: none"> - How do we ensure under-resourced communities/ buildings are able to comply with / benefit from the ordinance? - What other supports could be made available to help buildings comply?
Meeting 4 - June	<ul style="list-style-type: none"> - Consider draft recommendations – e.g., phasing, what's required of whom, exemptions - Look-ahead to public engagement process; adjust Task Force timeline as needed
Meeting 5 - July	<ul style="list-style-type: none"> - ID principles for universal signage, effective messaging and community buy-in - Confirm overall proposals thus far, e.g., timelines, communication protocols, materials requirements, funding, enforcement strategies - Provide input for public engagement process
Meeting 6 - Sept	Incorporate public input + finalize recommendations

STAKEHOLDER INPUT | WORKGROUPS
EQUITY CONSIDERATIONS

Task Force Topics to Address

Implementation + Enforcement

- Timing: Is it as simple as moving the timeline **back 1 year**?
- Phasing: Is the phasing **per covered entity** optimal? Are there **tweaks** needed?
- Market + infrastructure constraints: What are they, how/when will they change, **how should we account for them** in the ordinance?
- City structure and support: What do regulated entities need?

Equity – what supports are needed to ensure benefits and avoid negative impacts to under-resourced communities from the policy?

Communication – key concepts/principles for universal signage; messaging campaigns (informational, inspirational, who messages what and to whom?)

Unintended Consequences – e.g., how will truck traffic increase and how should we address it?

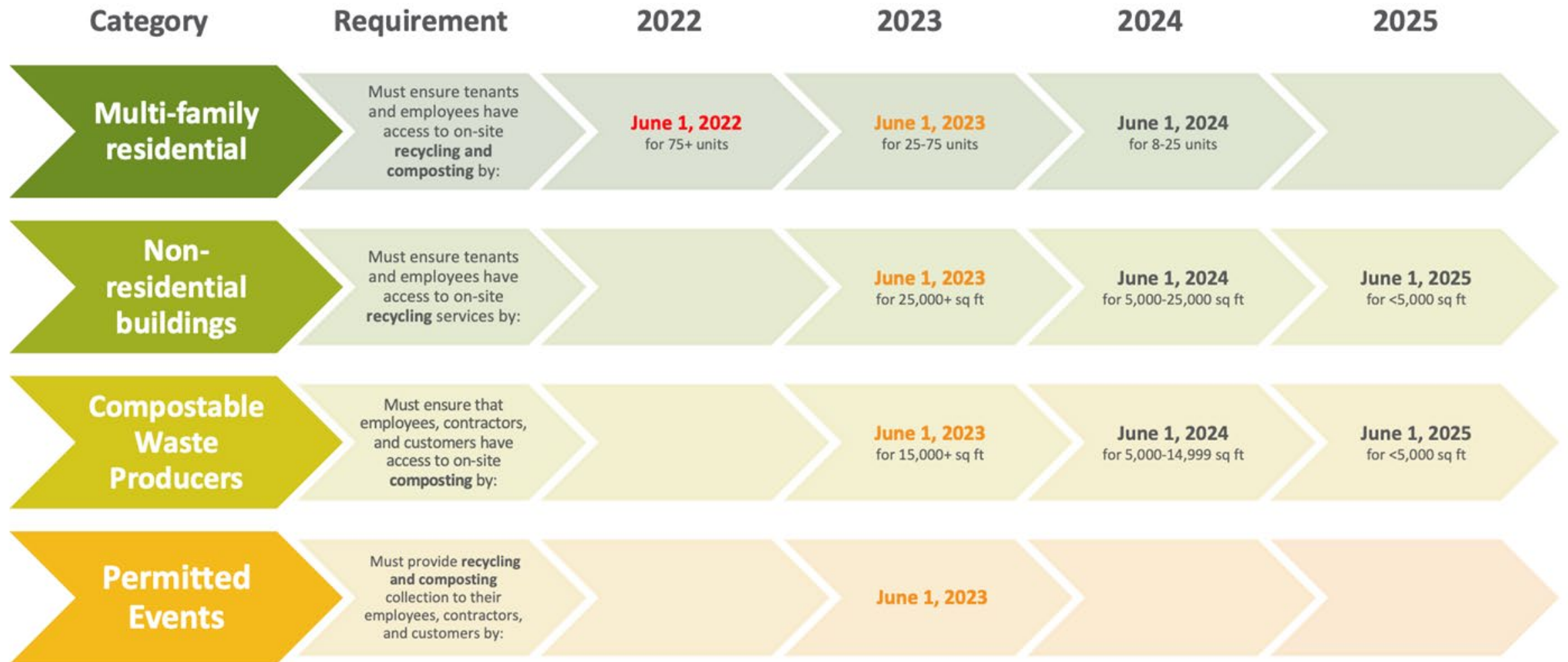
Potential Non-Regulatory Recommendations

- E.g., recommend allocating \$X or X% of future EPR funds to support implementation
- E.g., impact on/need for additional regional infrastructure

April Recap

- Current realities of the market and regional infrastructure
- Guiding principles for implementation
 - Recognizing will of the voters – i.e., universal access to compost/recycling in a discrete timeline
 - Equitable (equity work group will help flesh this out, considering Denver’s OSEI equity principles)
 - Feasible - for buildings, the City, consumers/waste producers
 - Sustainable and leading to long-term success
 - Cost effective (including for taxpayers and operators)
 - Resilience and adaptive over time
- Roll-out Options
 - A: Update Deadlines Only
 - B: Tweak Groups and/or Measures
 - C: Other (categories, requirements, measures, deadlines, sequencing, etc.)
- Begin work groups

Current Timeline for Roll Out





Any questions/comments?

Work Group Report-Outs: Licensees, Buildings and C&D

Brief update on work group discussions relevant to:

- 1) Phasing/roll-out of the ordinance
- 2) Other suggestions for 'responsibilities' in ordinance

We'll hear about Equity + Support/Incentives later in meeting.

WNM Phasing/Roll-Out of the Ordinance

Licensees

- ❖ Possibly tailor phasing to require compliance for BOH operators **before** FOH compliance, and/or delineate responsibilities more **specifically** (e.g. *food licensees* in shopping malls would be responsible for their kitchen, with *shopping mall operator/building owner* responsible for visitors throughout)
- ❖ One idea for phasing/grouping is to differentiate btwn vendors offering **on-site** consumption vs. **to-go** options

Buildings

- ❖ Support for phasing-in requirements for apartments based on units; however there may be room to **simplify** or **clarify** (e.g., roll out in 2 groups rather than 3; clarify whether units are at one location)
- ❖ Openness to consider phasing based on **tonnage** if that is more equitable or efficient for achieving WNM goals, instead of phasing per square footage

C&D

- ❖ Discussing phasing options based on building age and residential vs. commercial. Learning from peer cities on best practices.

Note: that **equity considerations will also be relevant to phasing and roll-out!*

Other Suggestions for ‘Responsibilities’ in Ordinance

Licensees

- ❖ The group liked the idea of delineating responsibilities in line with **existing city practices** or **programs**, like food licensure or a specific permit(s) that would trigger WNM responsibility (“permitted events” might be too broad)
- ❖ There is currently overlap on the compostable waste producers **list** in the ordinance, so there may be opportunity to refine the operators and responsibilities

Buildings

- ❖ Delineating responsibility between haulers, building operators, janitorial services, and licensed entities will help address contamination concerns and ensure enforcement is properly directed; **each should be clearly defined**
- ❖ Everyone agrees that the simpler the signage/messaging, the better!

C&D

- ❖ Need to clarify differences in demolition & construction **permits** in ordinance language.
- ❖ Add a definition for “**readily recyclable**” or change to “non-contaminated.”
- ❖ Discussing the idea of a deposit requirement with the permit process to **incentivize** compliance.
- ❖ Recycling and Reuse plans should not be reviewed by the Department of Transportation and Infrastructure

Support/Incentives – Work Group Initial Ideas

Licensees

- ❖ City-funded **access to bins** for one-off uses, either through city rental program or grant funding to orgs
- ❖ City-provided best practices/guidance for community **events** that want to comply but aren't required to under the ordinance
- ❖ **Recognition** or **incentives** to achieve compliance early or go above and beyond minimum standards

Buildings

- ❖ Clearer, stronger, uniform standards for **licensed haulers** under the WNM Initiative
- ❖ Programs that allow space-challenged businesses to **share** resources
- ❖ Standard but engaging/colorful signage that City provides to covered entities similar to wage/discrimination law **posters**

C&D

- ❖ Certified deconstruction contractors training/program.
- ❖ City support for increasing education and outreach and general awareness through hosting events/trainings/workforce development opportunities.
- ❖ Encourage regional alignment in recycling and reuse plans and reporting.

Note: that **equity considerations will also be relevant to supports/incentives and discussed later in meeting*



Any questions or concerns?

Applying an Equity Lens to Waste No More

What is an Equity Lens?

An equity lens is a set of questions used to embed equity in the design, execution, and assessment of processes, policies, programs, and budgets. The purpose of developing an equity lens is to guide City programs and policies toward the achievement of racial and social equity, and social justice. The City defines equity as a state in which race and social identities can no longer be used to predict life outcomes.

- CCD Office of Social Equity and Innovation

Sample questions

- What are the desired outcomes of this work?
- What beliefs, values, and assumptions guide how the topic is being considered?
- Who has already been included?
- What burdens, if any, will your program or policy place on the community?
- What relevant data do we have or need related to this project?
- Are you lacking important data on how your work will impact historically marginalized communities?
- Are there additional resources needed?
- Do you need more collaboration with stakeholders?
- Does the impacted community require relationship building or compensation for the programming to be successful?
- Who are the people most impacted by this topic? How have they been included?
- What is your plan for measuring the outcome of your efforts?
- How will you maintain a commitment to equity in your work over time?

Equity Work Group discussed...

- **WHOM** do we want to affirmatively help/support and not harm or penalize?
- **WHAT** is our process to ensure an equity lens is applied throughout the process?
- **HOW** will we do that, e.g., policy options, supports/incentives?

WHOM do we want to help & not harm? (and *how to identify*) – e.g.:

- People of color and indigenous people
- Low income households
- Small business, MWBE businesses
- Certain special events
- Neighborhood-wide/census tract-based (i.e., Justice40 EJ Scoring, CDPHE's EnviroScreen and/or CASR's Building Equity Index)

WHAT IS OUR PROCESS to ensure we apply an equity lens consistently?

- [Evaluation Rubric](#) based on guiding principles, Sustainability Advisory Council template and OSEI's equity lens guidance questions
- Ensure equity lens is applied in all **work group** discussions

Small Group Discussion Topics (Equity)

- 1) **Who** needs to be supported/prioritized in WNM implementation?
*Does the proposed definition (the whom) capture this and the **tools** we should use to ID these groups/facilities?*

- 1) Is the proposed **equity** rubric complete and usable? *Any concerns/additions to ensure an **equity lens** is incorporated throughout the process?*

Small Group Discussion



Break



Check In about WNM Recommendations Review WNM Recommendations Scope

What Goes in the Ordinance vs Related
Recommendations (i.e., Supports/Incentives, Policy)

What goes in the Ordinance?

- **Who** is being regulated?
- What are the **regulations**?
- What **exemptions** are allowed?
- What are the **penalties** for non-compliance?
- How can the penalties be **appealed**?
- When is **compliance** required?

What the ordinance says about buildings

Who is being regulated?

- Residential 8+ units
- All other non-residential

What is the regulation?

- Submit to the city an annual diversion plan
- Provide tenants, employees, and visitors access to recycling and composting
- Adhere to signage and education requirements

What exemptions are allowed?

- A RULES PROCESS shall establish a one year exemption for limited to economic hardship, de minimus volumes of materials, self-hauling of materials, and space constraints. A second one-year exemption is allowed and other alternative compliance options are described.

What are the penalties for non-compliance?

- None specified

How can the penalties be appealed?

- Not specified

What the ordinance says about food waste producers

Who is being regulated?

- See list : red = licensed by EXL

What is the regulation?

- Submit to the city an annual diversion plan
- Provide tenants, employees, and visitors access to recycling and composting
- Adhere to signage and education requirements
- Food trucks can't landfill fats, oils, grease

What exemptions are allowed?

- A RULES PROCESS shall establish a one year exemption for limited to economic hardship, de minimus volumes of materials, self-hauling of materials, and space constraints. A second one-year exemption is allowed and other alternative compliance options are described.

What are the penalties for non-compliance?

- None specified

How can the penalties be appealed?

- Not specified

Food Waste Producers

Including but not limited to:

- Grocery stores
- Food wholesalers, distributors, and manufacturers
- Food trucks
- Hotels
- Hospitals
- Sports venues
- Event centers
- Caterers
- Nursing & residential care facilities
- Office buildings with dining services
- Farmers markets
- Food shelves and food banks
- Colleges & universities with dining services
- Shopping centers
- Airports
- Golf clubs & country clubs
- Rental kitchens or shared commercial kitchens
- Restaurants

What the ordinance says about special events

Who is being regulated?

- Operators of permitted events

What is the regulation?

- Submit a waste management plan to OSE
- Provide employees, contractors, and customers access to recycling and composting
- Adhere to signage and education requirements

What exemptions are allowed?

- Requirements may be waived for events providing reusable food ware, generating de minimus volumes, or events that do not distribute food for on-site consumption subject to approval of event permit.

What are the penalties for non-compliance?

- A RULES PROCESS shall determine enforcement and compliance.

How can the penalties be appealed?

- Not specified

Examples of Permitted events

- Events open to the public, held on public property, e.g., race, run, walk, festival, concert

These are not permitted events

- Neighborhood block party
- Family reunion picnic in a park
- Youth soccer tournament in a park

What the ordinance says about **C&D**

Who is being regulated?

- Responsible party is not specified for construction permits
- All parties seeking a demolition permit

What is the **regulation**?

- Separate and recycle all readily-recyclable concrete, asphalt, clean wood, scrap metal and corrugated cardboard.
- Readily-recyclable is not defined

What **exemptions** are allowed?

- Projects under 500 square feet, projects requiring only mechanical, electrical, plumbing or HVAC permits, quick permits
- A RULES PROCESS shall be determined for exemptions for other applicable projects

What are the **penalties** for non-compliance?

- A RULES PROCESS shall establish penalties and fines for noncompliance based on the square footage of the project. Penalties may include loss of license.

How can the penalties be **appealed**?

- Not specified

Potential recommendation topics related to WNM implementation but not in the Ordinance

- **Financial Support:** loans, grants, etc.
- **Technical Support:** assessments, info desk, help w/ compliance, etc.
- **Incentives:** early adopters, rebates, etc.
- **Policy:** zoning code, building code, licensing code, noise ordinance, etc.

**Note that [communications/engagement/education](#) will be discussed in July meeting (e.g., targeted outreach/education)*



What Supports and Incentives are Needed?

For optimal implementation

WHAT We Have Heard Thus Far

[Jamboard Link](#)

	Financial Support	Technical Support	Incentives	Policy
D E N V E R W I D E	<ul style="list-style-type: none"> • City-funded access to bins for one-off uses, either through city rental program or grant funding to orgs • Programs that allow space-challenged businesses to share resources 	<ul style="list-style-type: none"> • How-to/guidance documents on setting up effective sorting systems, tips for contract terms • Workforce training (janitorial, drivers, haulers, sorters) • City-provided best practices/guidance for community events that want to comply but aren't required to under the ordinance • Certified deconstruction contractors program 	<ul style="list-style-type: none"> • Financial incentives for any regulated entity • Recognition or incentives to achieve compliance early or go above and beyond minimum standards 	<ul style="list-style-type: none"> • Zoning code use specific to compost processing • CCD purchasing requirements for compost, use of recycled material in construction (i.e., aggregate) • Regional collaboration on processing facilities and end markets
E Q U I T Y T A R G E T	<ul style="list-style-type: none"> • City sponsorship of a group-buying program for hauling services i.e. group contracts for small businesses • Subsidies/grants for under-resourced households, buildings that serve under-resourced households, under-resourced businesses and events 	<ul style="list-style-type: none"> • Peer educators/food scrap collectors in pilot low-income MFUs 	<ul style="list-style-type: none"> • Financial incentives and grants for under-resourced buildings and businesses 	<ul style="list-style-type: none"> • Exceptions and/or fee waivers for special populations

Small Group Discussion: Supports/Incentives (Outside the Ordinance)

- What resonates as most important/useful? Why?
- What's missing? What other ideas do you have?

Small Group Discussion



Review Decision-Making Process for Recommendations: What to Expect?

WHAT IS OUR PROCESS to ensure we apply our guiding principles to all recommendations?

- **Recommendation Evaluation Rubric** based on guiding principles, Sustainability Advisory Council template and OSEI's equity lens guidance questions
- Ensure guiding principles are applied in all **work group** discussions

Diversion Plan Recommendation - Evaluation Rubric

Sections 48-135, 48-136, 48-137: Annual Diversion Plans, Notice of Contract Termination, Notice of Change of

Provider

- Not asking for a decision
- Purpose is to review the rubric in action, determine if the format works for everyone

Link to draft recommendation:

https://docs.google.com/document/d/1XMyNOtg_YG8Xo0Q2IkhYhrfgYspp1oLD/edit?usp=share_link&oid=106091147107820268801&rtpof=true&sd=true

WNM Issues for Decision-Making

In the ordinance or rules & regs	Related but not in the ordinance	Administrative Issues for CCD Staff w/TF review
Timeline & phasing per type or size of entity/ C&D project	Optimal requirements for education, outreach	Agency assignments
Exemptions, alternative compliance options	Financial supports, incentive programs	Generate list of terms to be defined
Intent re: permitted events	Workforce development	Draft standard penalty & remedy language
Universal symbols	Other CCD policies (zoning & building code, purchasing, etc.)	

From Input to Recommendations

What Will the (Iterative) Process Look Like?


1. Task Force provides **high-level** input based on key interests + guiding principles
2. Work groups **vet** options
3. Task Force considers work group recommendations using **evaluation rubric**
4. Work groups **refine** draft recommendations as needed
5. Task Force **make decisions** on each recommendation
6. Package of draft recommendations shared for **public comment**
7. Task Force revises based on public comment, issues **final report**
8. Staff drafts **ordinance language** (Task Force opportunity for final review)
9. Staff submits **final revised ordinance** to City Council

Any questions or suggestions for the **evaluation process** for Task Force recommendations?



Next Steps

Draft Work Plan

Meeting 1 - March	Intros + clarify purpose/scope
Meeting 2 - April	<ul style="list-style-type: none"> - Review relevant context; ID where we can/can't account for external realities - Discuss timelines + overall requirements - Set up workgroups
Meeting 3 - May	 <ul style="list-style-type: none"> - How do we ensure under-resourced communities/ buildings are able to comply with / benefit from the ordinance? - What other supports could be made available to help buildings comply?
Meeting 4 - June	<ul style="list-style-type: none"> - Consider draft recommendations – e.g., phasing, what's required of whom, exemptions - Look-ahead to public engagement process; adjust Task Force timeline as needed
Meeting 5 - July	<ul style="list-style-type: none"> - ID principles for universal signage, effective messaging and community buy-in - Confirm overall proposals thus far, e.g., timelines, communication protocols, materials requirements, funding, enforcement strategies - Provide input for public engagement process
Meeting 6 - Sept	Incorporate public input + finalize recommendations

STAKEHOLDER INPUT | WORKGROUPS
EQUITY CONSIDERATIONS

Next Steps + Action Items

Task Force meets June 1, 2-5 pm hybrid again!

- ❖ The Denver Foundation, 1009 Grant Street
- ❖ Timeline and Phasing: deliberate options

Homework

- ❖ Work groups continue meeting
 - Where appropriate, draft proposed recommendations
 - Please engage your network!
- ❖ Tours: DADS, Waste Management MRF, A1 Organics